

**JOINT MEETING OF THE
PERRY COUNTY BOARD OF COMMISSIONERS
AND
PERRY COUNTY COUNCIL
MARCH 7, 2012**

The Perry County Board of Commissioners and the Perry County Council met at 8:00 a.m. as was duly advertised. Commissioners present were President Bill Amos, Vice President Louis J. Fortwendel and Thomas Hauser. County Council members present were President Alan Cassidy, Pro Tem Steve Goodson, Merle Doogs, Stan Goffinet, Jim Adams, Chet Mathena and Ron Crawford Sr. A media representative from the Perry County News was present.

The meeting opened with the Pledge of Allegiance.

Matthew Wallace with Bernardin Lochmueller & Associates attended the meeting and gave a presentation on ADA (Americans with Disabilities Act). Matt explained that the American with Disabilities Act went into effect in 1991, but the guidelines and specifications have changed several times and some of the changes were met with strong resistance. Public employers with more than 50 employees are required to develop a transition plan. Within the plan there are 3 milestones that will have to be done, and milestone #1 should be started by the end of March of this year. Matt stated that almost no one complied with the requirements and now communities that don't comply could lose federal road funding. The Federal Highway Administration wants to see an ADA coordinator appointed and a grievance policy adopted along with codes and standards, traffic and pedestrian generator map and public involvement.

Matt explained that to assess ADA compliance, each agency needs to develop a comprehensive inventory of pedestrian facilities, identify non-compliant locations, and develop a program for remedial repairs in order to bring facilities into compliance. He stated that if we don't have sidewalks we don't have to build them, but if we do have them we have to keep them up.

He said the County Commissioners will have to appoint an ADA coordinator along with developing a grievance policy. BLA will assist the county with these requirements. BLA will develop the traffic & pedestrian generator map along with working with county officials to develop the plan and help to make sure all is posted to the county website. The cost for BLA to provide the service to complete milestone #1 is \$9,800.00.

Council member Stan Goffinet commented that this was the first he had heard about any kind of ADA plan. Commissioner Bill Amos stated that he attended a meeting at AIC conference last fall about the ADA plan, and came back and started talking to the other commissioners about it. Council member Steve Goodson asked if any county has a plan in place, and Matt stated that at this time no county in the State of Indiana has a plan. Matt also stated that if any of the work on the plan can be done by the county that would be fine and it could change the price of the amount the county will owe BLA.

Commissioner Jody Fortwendel stated that "none of us like unfunded mandates, but this is a very important issue for the highway department which requires immediate action. We cannot put this off. A decision has to be made this morning – we don't have the time, resources or expertise to do the plan ourselves. We cannot take a chance on messing up the paperwork. In my opinion, we should move on this agreement this morning."

After much more discussion between the commissioners, council members and Matt from BLA it was explained that the commissioners had before them an agreement with Bernardin Lochmueller & Associates for \$9,800.00 to perform Milestone #1 of the ADA Transition Plan. Jody made the motion to approve the agreement and Tom seconded the motion. Motion carried 3-0.

Jody made a motion to request an additional appropriation within the Riverboat Wagering Tax Revenue in the amount of \$9,800.00 for the ADA Transition Plan. Tom seconded the motion and motion carried 3-0.

The next item on the agenda was for the County Council to give a motion of intent to approve the additional appropriation request at their March 22nd meeting in order to allow BLA to start on the plan.

After much more discussion between all present, Council member Stan Goffinet made a motion to table the request until more research could be done. The motion died for the lack of a second.

Council member Chet Mathena made the motion of intent to approve the additional appropriation request at the March 22nd County Council meeting, in the amount of \$9,800.00 within the Riverboat Wagering Tax Revenue fund to fund the ADA Transition Plan. Steve seconded the motion stating the county has too much to lose if we don't adopt a plan. Motion carried 6-1 with Stan voting against the motion.

Ron made the motion to adjourn the meeting and Chet seconded the motion. Motion carried 7-0 with the meeting ending at 9:10 a.m.

Minutes approved this 2nd day of April 2012 by the Perry County Board of Commissioners.

Bill Amos
President

Louis J. Fortwendel

Thomas J. Hauser

Minutes approved this 26th day of April 2012 by the Perry County Council.

Alan Cassidy, President

*Minutes prepared by:
Connie A. Berger, Perry County Auditor*